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DEPARTMENT OF  
PARKS AND RECREATION

**CITY OF SACRAMENTO**  
CALIFORNIA

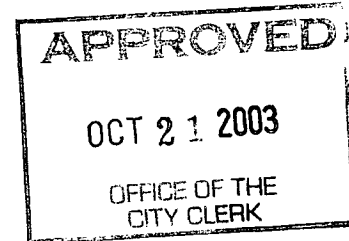
1231 I STREET, #400  
SACRAMENTO, CA  
95814-2997

PARK PLANNING DESIGN  
AND DEVELOPMENT DIVISION

(916) 264-1190  
FAX 264-8329

October 2, 2003

City Council  
Sacramento, California



**SUBJECT: APPROVAL OF AMENDMENT TO CITY LEASE AGREEMENT 98-114  
INVOLVING SAY-GOLF, INC., AND THE WILLIAM LAND PARK  
JOGGING PATH**

**LOCATION AND COUNCIL DISTRICT:** William Land Park, Council District 4

**RECOMMENDATION:**

Staff recommends that the City Council, by resolution (page 4):

- ▶ Approve the amendment to City Lease Agreement 98-114 between SAY-Golf, Inc. and the City of Sacramento which changes the boundaries of the leased property on William Land Park Golf Course to exclude a portion of the future continuation of the William Land Park Jogging Path.

**CONTACT PERSON:** JANET BAKER, PARK DEVELOPMENT MANAGER, 264-8234

**FOR COUNCIL MEETING OF:** October 21, 2003

**SUMMARY:**

Staff recommends that City Council approve the City Lease Agreement amendment (Exhibit C- pages 7-8) which changes the SAY-Golf, Inc., property boundaries where property is located on the future continuation of the William Land Park Jogging Path.

**COMMITTEE/COMMISSION ACTION:**

The Parks and Recreation Citizen's Advisory Committee (CAC) approved the master plan for development of the William Land Park Jogging Path on December 2, 1999, and the Land Park Community Association (LPCA) approved the master plan on October 20, 1999. The City



*Optimize the Experience of Living!*

Council approved the master plan for development of the jogging path on July 18, 2002.

**BACKGROUND INFORMATION:**

Jogging paths have proven increasingly popular in City parks. Most recently, a jogging path was installed in Tahoe Park and has received heavy use. A desire for a similar improvement at William Land Park (Exhibit A- page 5) has been expressed by residents living in close proximity to William Land Park and by the Land Park Community Association.

The master plan for the William Land Park Jogging Path ( Exhibit B-page 6) includes a jogging path that encircles the entire park and will be approximately 2,250 linear feet in length at full build out. The first phase of the jogging path is complete and has been developed between Riverside Boulevard on 13<sup>th</sup> Avenue and around the ballfields between 13<sup>th</sup> Avenue and Land Park Drive. The second phase of the project will continue the jogging path from 14<sup>th</sup> Avenue to Sutterville Road. Additional work elements would include four concrete handicap ramps and the associated decomposed granite and headers.

Phase II of the jogging path is adjacent to the William Land Park Golf Course, leased by SAY-GOLF, Inc. A small stretch of the path along South Land Park Drive, south of 14<sup>th</sup> Avenue, actually was part of the leased property to SAY-Golf, Inc. Capital City Golf and SAY-Golf, Inc., in cooperation with the Parks & Recreation Department, agreed to move the boundaries to accommodate the jogging path so that it is entirely on City park property. Therefore, the lease agreement was amended to reflect this change.

**FINANCIAL CONSIDERATIONS:**

There are no financial considerations associated with the approval of the amendment of City Lease Agreement 98-114. There is currently funding available to construct Phase II of the Land Park Jogging Path CIP (PN: LR86) and the project will begin in Spring 2004.

**ENVIRONMENTAL CONSIDERATIONS:**

There are no environmental considerations associated with the approval of the amendment of City Lease Agreement 98-114.

**POLICY CONSIDERATIONS:**

The development of William Land Park Jogging Path is consistent with the City's Strategic Plan goal to expand park and recreation opportunities.

**ESBD CONSIDERATIONS:**

All *Emerging and Small Business Development Guidelines* were followed in securing professional services for the development of this park.

Respectfully Submitted,



ROBERT G. OVERSTREET  
Director, Parks and Recreation

Recommendation Approved:



ROBERT P. THOMAS  
City Manager

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**RESOLUTION NO. 2003-736**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF: \_\_\_\_\_

**RESOLUTION TO APPROVE AMENDMENT TO CITY LEASE AGREEMENT 98-114 INVOLVING SAY-GOLF, INC., AND THE WILLIAM LAND PARK JOGGING PATH**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:**

**The City Council hereby:**

1. Approves the amendment to City Lease Agreement 98-114 between SAY-Golf, Inc. and the City of Sacramento which changes the boundaries of the leased property on William Land Park Golf Course to exclude that portion of the proposed continuation of the William Land Park Jogging Path.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

**FOR CITY CLERK USE ONLY**

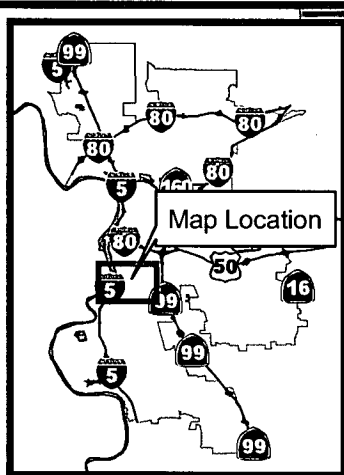
RESOLUTION NO. \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

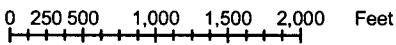
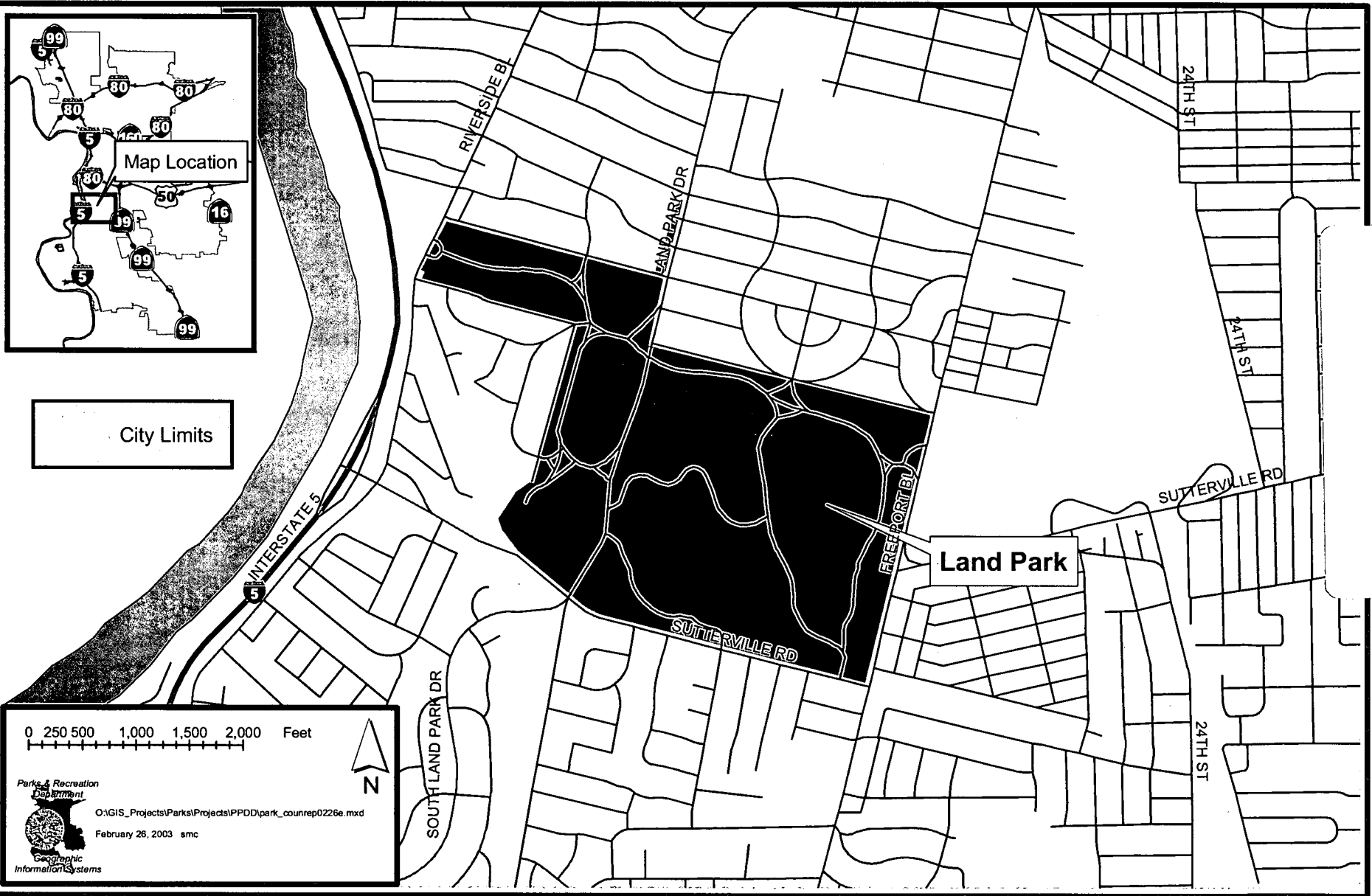


# City of Sacramento Department of Parks and Recreation

Park Site: Land Park



City Limits



Parks & Recreation  
Department



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February 26, 2003 smc

Geographic  
Information Systems

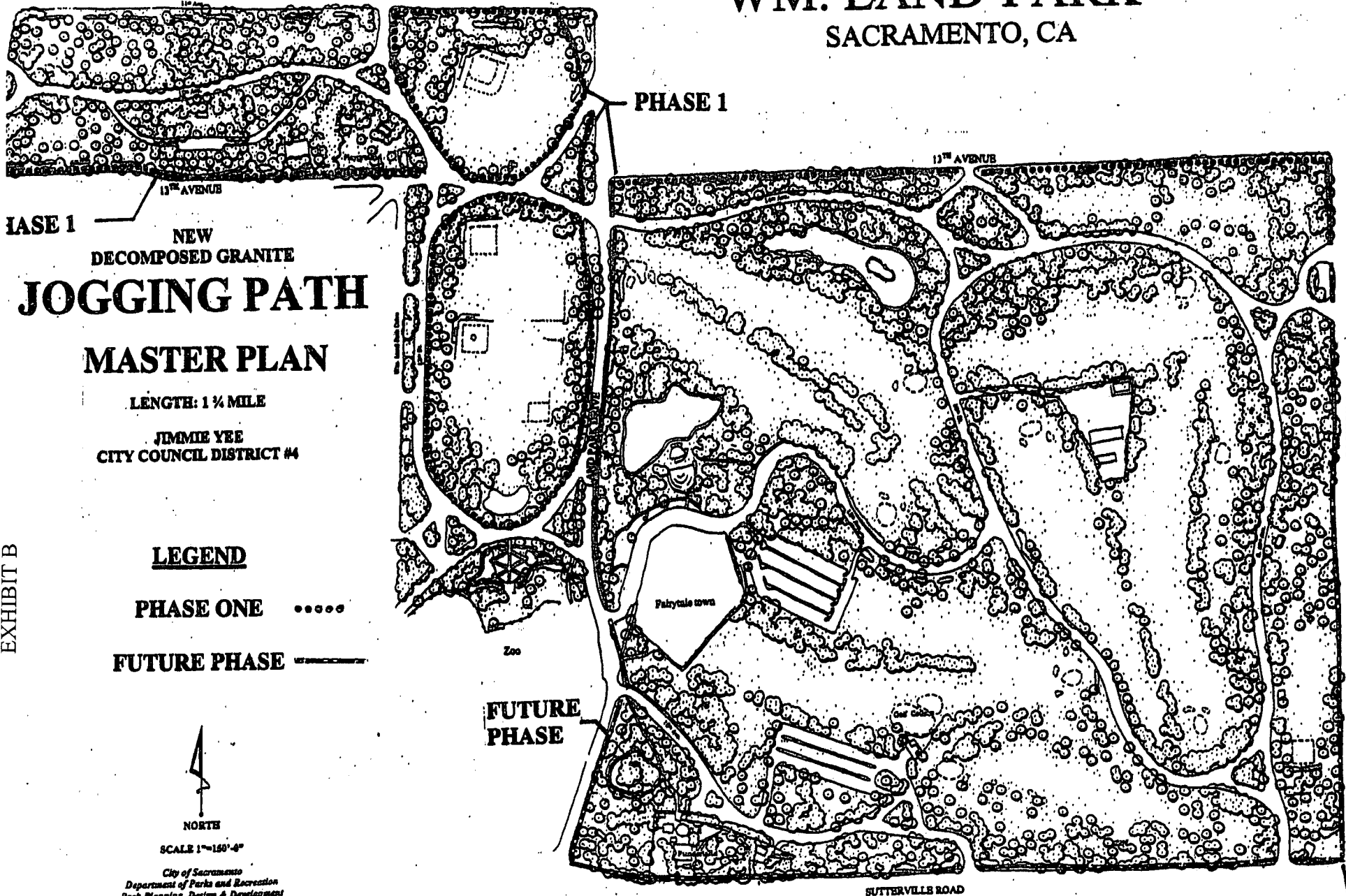
EXHIBIT A

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# WM. LAND PARK

## SACRAMENTO, CA



PHASE 1

### NEW DECOMPOSED GRANITE JOGGING PATH MASTER PLAN

LENGTH: 1 1/4 MILE  
JIMMIE YEE  
CITY COUNCIL DISTRICT #4

#### LEGEND

PHASE ONE ..... (dotted line)

FUTURE PHASE ——— (solid line)



SCALE 1"=150'-0"

City of Sacramento  
Department of Parks and Recreation  
Park Planning, Design & Development

June 2002

EXHIBIT B

FUTURE PHASE

## EXHIBIT C

### FIRST AMENDMENT TO LEASE: CITY AGREEMENT 98-114

This First Amendment to the Lease designated City Agreement 98-114 is made as of \_\_\_\_\_, 2003, by and between SAY-Golf, Inc., a non-profit public benefit corporation ("SAY-Golf") and the City of Sacramento, a municipal corporation ("City").

WHEREAS, the Parks and Recreation Department, after consultation with interested parties, desires to upgrade the surface of a jogging path in Land Park; and

WHEREAS, a small portion of that surface to be upgrading lies within the premises leased to SAY-Golf pursuant to City Agreement 98-114; and

WHEREAS, the parties have agreed to amend City Agreement 98-114 in light of these circumstances.

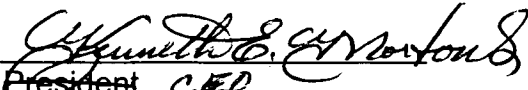
NOW, THEREFORE, the parties agree as follows:

1. The description of the leased premises shall be amended to remove therefrom the area currently within the leased premises that will constitute a portion of the upgraded jogging path. The amended description of the leased premises is attached hereto as Exhibit A. The area removed from the leased premises shall be referred to as the "jogging area."
2. The parties recognize that there is some level of exposure to injury from errant golf balls to individuals jogging along the border of a golf course. The parties agree that such individuals assume the risk of that injury, but that nonetheless claims and actions for damages resulting from such injuries may be brought against one or both of the parties. So long as SAY-Golf is not guilty of gross negligence or wilful misconduct, and so long as SAY-Golf makes no changes to its operations or the leased premises that increase the risk that errant golf balls will enter the jogging area, City agrees to defend and indemnify SAY-Golf from any claims and actions for damages arising from such injuries in the jogging area that may be brought against SAY-Golf.
3. Except as set forth herein, the terms of City Agreement 98-114 shall remain in full force and effect.

EXHIBIT C

SAY-Golf, Inc.

CITY OF SACRAMENTO

By   
President CEO

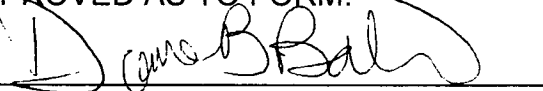
By \_\_\_\_\_  
Robert P. Thomas  
City Manager

By   
Secretary President

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

  
Senior Deputy City Attorney